



CURRICULUM VITAE

PhD. Lawyer. Nguyen Ba Cuong

VNJUST Law Firm
Scientific Research Institute of Sea and Islands

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DEGREES

- Ph.D., School of Law, Vietnam National University (VNU) 2018
- DIPLOMA (Law of the Sea), Rhodes Academy of Ocean Law and Policy, 2018
hosted by the Aegean Institute of the Law of the Sea and Maritime Law (Greece), the Center for Oceans Law and Policy, University of Virginia School of Law (USA), the Centre for International Law, National University of Singapore (Singapore), the Law of the Sea Institute of Iceland (Iceland), Max Planck Institute for Comparative Public Law and International Law (Germany), the Netherlands Institute for the Law of the Sea (Netherlands), the Korea Maritime Institute (Korea), and Ankara University Research Center of Sea and Maritime Law (Turkey)
- DIPLOMA (Law of the Sea), Yeosu Academy of the Law of the Sea, hosted 2015
by Korean Ministry of Oceans and Fisheries and organized by the Expo 2012 Yeosu Korea Foundation

TRAINING COURSES ATTENDED

- Completed the Training Course on “Maritime Dispute Settlement in the International Tribunal for The Law of The Sea”, organized by the Ministry of Foreign Affairs of Vietnam from 14 - 17 October 2014 (The course is organized by the Ministry of Foreign Affairs of Vietnam);
- Completed the Intensive Course on “Legal Writing and International Negotiation”, organized by the Ministry of Foreign Affairs of Vietnam from 21 - 25 May 2014 (The course is organized within the framework of the Project “Training of Legal Officials in Participating in International Fora” ratified by the Prime Minister of Vietnam in the Decision No. 282/QĐ-TTg on March 8, 2012);
- Completed the Intensive Course on “Dispute Settlement in Contemporary International Law”, organized by the Ministry of Foreign Affairs of Vietnam from 9 - 13 September 2013 (the course is organized within the framework of the Project “Training of Legal Officials in Participating in International Fora” ratified by the Prime Minister of Vietnam in the Decision No. 282/QĐ-TTg on March 8, 2012);
- Completed the Introduction Course on “International Human Rights” at the Faculty of Law - The Norwegian Centre for Human Rights, University of Oslo from 1 - 6 September 2013;
- Completed the training workshop on “Mediation: Strategic Conflict Management for Professionals”, conducted by Singapore Mediation Centre, sponsored by The Ministry of Foreign Affairs, Singapore and The Ministry of Foreign Affairs, Vietnam (December 2011);
- Completed the programme of Short-Term Training at Dalhousie University, Canada from 3 September - 1 December 2008 in “Advanced Dispute Resolution and International Law”.
- Completed the training workshop on “WTO Dispute Settlement: Research and Case Preparation Skills and Methods”, sponsored by Canadian International Development Agency (CIDA) and Ministry of Justice, Vietnam (March 2008).

PRESENT POSITIONS

• **Managing Partner, VNJUST Law Firm (6/2019 - present)**

- Manage and review daily work; serve as administrator of internal office policies and procedures;
- Organize the implementation of resolutions and decisions of the Board of Directors; advise and assist the Board of Directors in the implementation of all policies and procedures;
- Review supervised employees' casework and caseload and conduct job performance evaluations once a year for all personnel;
- Maintain an active caseload consistent with the duties of staff attorneys;
- Assist supervised personnel in professional development
- Co-counsel with staff attorneys on major law cases as appropriate;
- Keep apprised of changes in the law and other issues that may affect client's interest and advise other staff of such issues;
- Conduct or participate in training, public speaking forums, legal education forums and other public functions on a regular basis;
- Lead the legal team to successfully defend 02 Vietnamese company (Respondents) against a Korean company (Claimant) in the international tort lawsuit worth approximately USD 2,6 million at Vietnam International Arbitration Center (VIAC) from December 2018 to August 2019;
- Lead the legal team to successfully annul an arbitral award issued by a Board of Arbitration of VIAC as that award violated the legal rights and interests of a Vietnamese company (Petitioner) at the People's Court of Ho Chi Minh City from August 2019 - October 2019;
- Lead the legal team to successfully defend a Vietnamese company (Plaintiff) against a foreign company with nationality of Marshall Islands (Defendant) in the international tort lawsuit worth approximately USD 5,5 million at the People's Court of Ho Chi Minh City from September 2019 to November 2020.
- Lead the legal team, in cooperation with an arbitrator of VIAC, to inform and lecture 100 entrepreneurs on the topic "International Commercial Contract Some Notices to Vietnamese Enterprises", at the invitation of the Department of Industry and Trade of Hoa Binh province in December 2020.

• **Director, Partner, Scientific Research Institute of Sea and Islands (SRISI) (4/2013 - present)**

- Assist and advise:

- Individuals (law students, law lecturers, scholars interested in examining marine issues);
 - Organizations (for example, Institute of Chinese Studies, Vietnam Academy of Social Sciences, Center for Ocean and Island Studies - Ho Chi Minh University of Social Sciences and Humanities, Association of Vietnamese Historical Science, the Department of Record Management and Archives, etc.);
 - Vietnamese government agencies (for instance, Committee on National Defense and Security of the National Assembly, the Ministry of Defense, the Ministry of Public Security, the Ministry of Foreign Affairs, the Ministry of Information and Communications, Vietnam Administration of Sea and Islands of the Ministry of Natural Resources and Environment, the People's Committee of Paracel Islands District, etc.) on international maritime law and international law issues in general, and international marine law issues in particular, for example, drafting policies and laws relating to marine and maritime issues, implementing national and scientific projects concerning law of the sea matters and Vietnam's sovereignty and sovereign rights in the South China Sea;
- Undertake research relating to law of the sea, international maritime law, and international law;
 - Implement scientific projects concerning law of the sea, international maritime law, and international law;
 - Manage and organize the work of the institute;
 - Organize negotiations and conclusions of cooperative agreements with other organizations and institutions; Monitor and supervise the implementation of the concluded agreements;
 - Coordinate the cooperative programs between SRISI and other organizations and institutions;
 - Organize the implementation of the institute's development strategies in the short, medium, and long term.
- **Visiting Lecturer, Topica Edtech Group, Hanoi, Vietnam (6/2019 - present)**
Lecture on the “Commercial Law” subject, the “Law on Intellectual Property” subject, the “International Private Law” subject (in Vietnamese).

PREVIOUS POSITIONS

- **Visiting Lecturer, Dong Do University, Economic Law Department, Hanoi, Vietnam (10/2019 - 12/2019)**

Lecture on “International Trade Law” subject (in Vietnamese).

- **Assistant Professor/Lecturer, International Law Department, School of Law, Vietnam National University, Hanoi, Vietnam (09/2007 - 11/2018)**

Lecture on “International Trade Law” subject, “International Business Law” subject, “International Law” subject, “International Private Law” subject “International Commercial Arbitration” subject, and “Settlement of Civil, Commercial Disputes Relating to Foreign Factors” subject.

- **Visiting Lecturer, Hanoi Law University, Hanoi, Vietnam (09/2008 - 12/2018)**

- Lecture on “International Private Law” subject, “International Trade Law” subject, “Basic Skills for Jurist” subject, “Advanced Skills for Jurist” subject, “ASEAN Community Law” subject, and “Legal Ethics” subject (in English) to Vietnamese law students;
- Lecture on “Vietnam’s Franchise Law” subject for New Zealand law students from Faculty of Law, the University of Waikato in Summer Courses (from 2016 - 2017) (in English).

- **Visiting Lecturer, Judicial Academy, Hanoi, Vietnam (12/2016 - 12/2018)**

- Lecture on “Interviewing Skills for Lawyer” subject, “Negotiation Skills for Lawyer” subject, “Contract Drafting Skills” subject, “Skills for Lawyer in Utilizing Mediation/Conciliation Means”, “Skills for Lawyer in Utilizing Arbitration Means”;
- Lecture on short-term course “Legal English” for officials of the Ministry of Justice (07/2017 - 11/2017).

- **Visiting Lecturer, Security Academy, Hanoi, Vietnam (11/2016 - 12/2018)**

Lecture on “Lawyer and Legal Ethics” subject (in Vietnamese).

- **Visiting Lecturer, Foreign Trade University, Hanoi, Vietnam (05/2018)**

Lecture on “World Trade Law” subject of the Master Program of International Trade Policy and Law (the Joint Program between Foreign Trade University, Vietnam with World Trade Institute, Switzerland) (in English).

- **Visiting Lecturer, Faculty of Law & Government, HELP University, Kuala Lumpur, Malaysia (03/2018)**

Lecture on the topic: “The Philippines v. China Case and the South China Sea Disputes” (in English).

- **Visiting Lecturer, Faculty of Law, Thammasat University, Chiangmai, Thailand (03/2016)**

Lecture on “Introduction to Vietnamese Legal System” subject (in English).

- **Visiting Lecturer, International School, Vietnam National University, Hanoi, Vietnam (10/2015 - 12/2017)**

Lecture on “Introduction to Vietnamese Law” subject, and “Economic Law” subject (in English).

- **Visiting Lecturer, University of Economics and Business, Hanoi, Vietnam (09/2013 - 12/2015)**

Lecture on “International Business Law” subject (in Vietnamese).

- **Legal Manager of MV Joint Stock Company (09/2011 - 2/2013)**

- Review, advise and amend as necessary all contracts entered into by the company, in order to protect the interest of the company as well as to ensure the contract signed are in compliance with the laws.
- Advise on 1\$ million Project “Miss Vietnam 2010”;
- Review translation of all contracts signed by management to ensure Vietnamese translation accurately reflects the English version;
- Take custodial function of all company legal documents and approvals, filed and indexed in systematic manner;
- Keep abreast with updates in Vietnam Laws, particularly in the areas of contract law, labor law, taxation, foreign exchange control, foreign investment law, construction law;

- Research the law pertaining to company business and advise management as required;
 - Deal with various governmental authorities in legal aspects;
 - Negotiate, advise, and deal with any 3rd party claim or dispute. Winning at the People's Court of Quang Ninh province in the commercial case against a company that illegally abrogated the contract;
 - Review, revise and advise management and organize proper filing with regards to all documentations relating to development/investment;
 - Implement the business registration for the company;
 - Manage the Legal Department;
 - Implement other duties assigned by the Board of Directors.
- **Legal Consultant of Pho Cho Ltd., Company (12/2010 - 05/2011)**
 - Review, advise and amend as necessary all contracts entered into by the company, in order to protect the interest of the company as well as to ensure the contract signed in compliance with the laws;
 - Manage all company legal documents and approvals filed and indexed in a systematic manner;
 - Keep abreast with updates in Vietnamese Laws, particularly in the areas of contract law, labor law, taxation, foreign exchange control, foreign investment law, construction law;
 - Research the law pertaining to company business and to advise management as required;
 - Provide legal advice for constituting “Supply - Demand Connection Floor System for Agricultural Products” – a Project that was established by joint cooperation among Vietnam Farmers’ Union of the Ministry of Agriculture and Rural Development, the Ministry of Industry and Trade, the Ministry of Information and Communications, the Ministry of Finance, the Ministry of Planning and Investment and Pho Cho Company. The objective of this project was to create an environment connecting diversified communities through a chain of services supporting farmers, enterprises on the basis of demanding information about the need of agricultural products, which are regularly updated through Connection Points that are located in hamlets and communes.
 - **Legal Consultant, Multiple Clients (09/2007 - 10/2013)**

Provide legal advice for hundreds of corporations, individuals, and organizations. A few of noticeable cases could be listed as follows:

- Advise and negotiate for a Department of the Ministry of Agriculture and Rural Development on 12 million Supplying Equipment and Service Contract with a French Center in April 2009;
 - Advise a Group at Bac Ninh province and having the main responsibility for consulting and reviewing a number of BCCs relating to building roads in conjunction with foreign partners such as Indonesian, Korean, and Malaysian partner in August 2009;
 - Consult a company on a sponsorship contract with a counter partner in September 2009;
 - Negotiate with enterprises and organizations such as Vietnam Mobile Telecom Services Company (Mobifone), Vietnam Television (VTV), and Military Telecommunication Group (Viettel) for the communication projects of a company in Ho Chi Minh city (from May 2010 to September 2010);
 - Negotiate and request payment of a 1-year debt (approximately 100,000 USD) from a company that owed a client (from May 2011 to August 2011);
 - Negotiate and request payment of a 1-year debt (approximately 16,000 USD) from a company that owed a client (from August 2012 to December 2012);
 - Negotiate and request payment of a 2-year debt (approximately 50,000 USD) of 02 companies that owed a client (from December 2012 to August 2013).
- **Legal Assistant of Ba Ngoc Hoang Law Firm (5/2004 - 6/2007)**
 - Backup and assist partners in drafting legal documents and solving the legal problems basically related to both domestic contracts and international contracts;
 - Implement business registration procedures;
 - Implement other duties reasonably assigned by senior lawyers;
 - Assist partners in advising a national Group on a roughly 1\$ million Business Corporation Contract with a Chinese company in December 2006.

SELECTIVE PUBLICATIONS

Nguyen Hung Cuong, “Basic Issues of Precedents under Vietnamese Jurisprudence” in Nguyen Ba Binh ed., *Precedents and Utilizing Precedents in Legal Education in Vietnam Today*, (Judicial Publishing House, 2019) 67-104 (in Vietnamese);

- Nguyen Hung Cuong, “The Right to Encouragement and Protection of Foreign Investment of Foreign Investors under Vietnamese Law, some ASEAN Countries’ Laws and International Law” in Nguyen Thi Que Anh, Vu Cong Giao, Ngo Minh Huong, La Khanh Tung ed., *Rights of Foreigners* (National Political Publishing House, 2018) 189-231 (in Vietnamese);
- Nguyen Hung Cuong, “Settlement of Disputes over International Commercial Contracts by Negotiation” in Nguyen Ba Binh, ed., *Textbook on Laws on Settlement of International Trade and Business Disputes* (Judicial Publishing House, 2017) 281-306 (in Vietnamese);
- Nguyen Ba Dien, Nguyen Hung Cuong, Dong Thi Kim Thoa, eds., *International Precedents Relating to Settlements over Marine and Islands Disputes and Experiences Applied to the South China Sea* (Hong Duc Publishing House, 2016) (in Vietnamese);
- Nguyen Hung Cuong, “The Protection of Human Rights in the Multilateral Trade System” in Nguyen Ba Dien, ed., *The Relationship between Vietnamese Law and International Human Rights Law* (Judicial Publishing House, 2015) 142-172 (in Vietnamese);
- Nguyen Hung Cuong, “Law of Diplomatic Relations and Consular Relations” in Nguyen Ba Dien, ed., *International Public Law Textbook* (Vietnam National University Publishing House, 2014) 389-430 (in Vietnamese);
- Nguyen Hung Cuong, “Family and Marriage in International Private Law” in Nguyen Ba Dien, ed., *International Private Law Textbook* (Vietnam National University Publishing House, 2013) 353-403 (in Vietnamese);
- Nguyen Hung Cuong and Nguyen Ba Dien, “Contract in International Private Law” in *ibid.*, 233-284;
- Nguyen Hung Cuong, “Free Trade: the Core Value of Internationally Legal Culture” in Hoang Thi Kim Que and Ngo Huy Cuong, eds., *Legal Culture: The Basic Theoretical Issues and Specialized Applications* (Hanoi: Vietnam National University Publishing House, 2011) 489-516 (in Vietnamese);
- Nguyen Hung Cuong, “Building Vietnamese Legal Framework of Using Outer Space for Peaceful Purpose on the Basic of International Experiences” in Nguyen Ba Dien, ed., *Building Vietnamese Legal Framework of Using Outer Space for Peaceful Purpose: the Theoretical and Practical Matters* (Hanoi: Vietnam National University Publishing House, 2011) 369-379 (in Vietnamese);

Nguyen Hung Cuong, “Some Thoughts on The Circumstances “Killing More Than One Person” and “Killing A Person by Method That May Kill More Than One Person” (2008) 1(237) *State and Law Review* 79 (in Vietnamese).

Nguyen Hung Cuong, “Possibilities and Opportunities of Law Students” in Nguyen Ba Binh, ed., *Legal Profession: Some Thoughts* (Hanoi: Judicial Publishing House, 2007) 132-146 (in Vietnamese).

SELECTIVELY INVITED PRESENTATIONS

- “Vietnam's Contribution to the Development of International Law in the South China Sea” (The International Conference: Development of International Law in Asia at 30: The Grand Anatomy of State Practice in International Law in ASIA for the Last 30 Years: Past, Present and Future, hosted by Ministry of Foreign Affairs of Indonesia & Universitas Indonesia, Jakarta, October 15, 2019);
- “Overview of the Legal Advisory Skills of Officials when Consulting Enterprises” (Conference on Dialogue with Enterprises: “Requirements for Legal Advice for Enterprises”, hosted by the Youth Union, Ministry of Justice & Institute of ASEAN Law and Economic Studies, December 15, 2017);
- “The Arbitration Award and Its Impact on the South China Sea Disputes and the Development of International Law” (International Conference on Geo-Political and Legal Development Post Permanent Court of Arbitration (PCA) Award on South China Sea Dispute, hosted by Center for International Law Studies & Faculty of Law, Universitas Indonesia, Jakarta, October 31, 2017);
- “The National Assembly’s Supervising Activities to Performing Human Rights Treaties” (Conference on Enhancing the National Assembly’s Supervising Role to Performing Human Rights Treaties, hosted by Foreign Affairs Committee of the National Assembly of Vietnam, Hanoi, December 29, 2015);
- “The National Assembly’s Supervising Activities to Performing Treaties” (Conference on Enhancing the Effectiveness of National Assembly’s Supervising Role to Performing Treaties that Vietnam Is Member, hosted by Foreign Affairs Committee of the National Assembly of Vietnam, Hanoi, July 8, 2015);
- “Dispute Settlement Mechanisms of 1982 United Nations Convention on the Law of the Sea” (Conference on Cooperation and Dispute Settlement in the South China Sea: International Law and National Practices, hosted by Hanoi Law University, Hanoi, November 17-19, 2014);

- “Skills for Lawyers in International Commercial Arbitration Proceedings” (Conference on International Commercial Arbitration: Theory and Practice, hosted by Hanoi Law University, Hanoi, October 19, 2012);

MEMBERSHIP

- Member of Hanoi Bar Association;
- Member of Vietnam Society of International Law;
- Member of the Global Network for Public Interest Law (PILnet), an international NGO that provides pro bono legal services to NGOs in the anti-trafficking in persons (ATIP) project in Hong Kong, Thailand, Cambodia, Myanmar and Vietnam.

OTHER SELECTIVE PROFESSIONAL ACTIVITIES

- Supervise over 50 undergraduate theses in the fields of international law, international trade law, international commercial law, international private law, and international marine law.
- Host the first moot court pertaining to international business law for law students in School of Law in 2010.
- Compose a number of articles and contribute commentaries that were published in widespread Vietnamese electronic websites concerning issues such as Vietnam’s sovereignty over the Paracel Islands, the Philippines v. China case, China’s activities in the South China Sea, intellectual property rights... as follows:

- <http://vnexpress.net/tin-tuc/thoi-su/philippines-rat-khon-ngoan-khi-kien-trung-quoc-2419341.html>

- <http://vnexpress.net/tin-tuc/thoi-su/30-phut-dau-phao-trong-tran-hai-chien-hoang-sa-1974-2940469.html>

- <http://vnexpress.net/tin-tuc/thoi-su/vi-sao-trung-quoc-danh-chiem-hoang-sa-2940443.html>

- <http://vnexpress.net/tin-tuc/thoi-su/chu-quyen-khong-the-xac-lap-bang-vu-luc-2940476.html>

- <http://news.zing.vn/3-buoc-duoi-gian-khoan-HD-981-khoi-vung-bien-Viet-Nam-post415158.html>

- <http://news.zing.vn/Viet-Nam-co-the-lam-gi-truoc-cac-vi-pham-cua-TQ-post420828.html>

- <http://baophapluat.vn/truyen-hinh-phap-luat/vu-duong-luoi-bo-can-co-quyet-sach-de-tuyen-bo-cua-toa-trong-tai-duoc-thuc-thi-284228.html>
- <http://quochoitv.vn/Videos/tu-nghi-truong-den-cuoc-song/2018/6/chuc-nangnhiem-vu-cua-canhsat-bien-viet-nam/213981>
- <http://truyenhinhdulich.vn/video/ca-khuc-truoc-1975-gia-tri-va-ung-xu-vfn5ibmt-1574.html>
- <https://vnews.gov.vn/video/ban-tin-thoi-su-11h-ngay-18-10-2019-64940.htm>